

FTG

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FREDDY AKIENS
Petitioner

v.

JAMES T. WYNDER, et al.,
Respondent

CIVIL ACTION

NO. 06-5239

FILED

JUN 20 2007

MICHAEL E. ROUNZ, Clerk
By MS Dep. Clerk

ORDER

AND NOW, this 20th day of June, 2007, upon consideration of the Petition for Writ of Habeas Corpus and the Commonwealth's Response, inclusive of all exhibits thereto, the other documents filed by the parties and after review of the Report and Recommendation *and Petitioner's Objection thereto*, of United States Magistrate Judge Carol Sandra Moore Wells, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The Petition for Writ of Habeas Corpus is DISMISSED without an evidentiary hearing; and
3. Petitioner has neither shown a denial of a constitutional right, nor established that reasonable jurists would disagree with this court's procedural and substantive disposition of his claims. Consequently, a certificate of appealability is DENIED.

IT IS SO ORDERED.

BY THE COURT:

James T. Giles
JAMES T. GILES, J.